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WILLIAM T FUJIOKA
Chief Executive Officer

December 3, 2013

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The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

14 December 3, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

Dear Supervisors:

STATE LEGISLATIVE AGENDA FOR THE SECOND YEAR OF THE 2013-14 SESSION (ALL SUPERVISORIAL DISTRICTS AFFECTED) (3 VOTES)

SUBJECT

The following recommendations represent the updated policies and proposals for the second year of the 2013-14 Legislative Session, which were developed in coordination with Board offices, County departments, and County Counsel. This package, together with other positions previously adopted by the Board, represent guiding principles for the County's advocacy efforts in Sacramento.

IT IS RECOMMENDED THAT THE BOARD:

1. Approve the attached additions, deletions, and changes to existing Board-adopted policies and positions for inclusion in the 2013-14 State Legislative Agenda (Attachment).
2. Instruct the Chief Executive Officer (CEO) and affected County departments to work with the Los Angeles County delegation, other counties and local governments, and interest groups to pursue these policies, positions, and priorities in the State Legislature, and with the Administration and its agencies.

"To Enrich Lives Through Effective And Caring Service"

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PURPOSE/JUSTIFICATION OF RECOMMENDED ACTIONS

The recommended changes seek to minimize the adverse impact of State actions on the County, achieve greater flexibility over the use of State funds, protect revenue sources for County-provided services, secure State financial assistance whenever possible, and promote the growth of the State and local economy.

CALIFORNIA FISCAL OUTLOOK

On June 27, 2013, Governor Brown signed the FY 2013-14 State Budget Act. Unlike the past several years where the State had to address multibillion dollar budget shortfalls, the \$138.3 billion spending plan (\$96.3 billion State General Fund; \$42.0 billion Special Fund) includes several programmatic funding increases. As further indication of the economic recovery and the ensuing improvement to the State's Budget situation, FY 2013-14 is projected to end with an approximate \$1.1 billion State General Fund reserve.

Some of the key features of the FY 2013-14 State Budget plan include: 1) \$7.7 billion in additional funding for California schools and community colleges; 2) the State-based expansion of Medi-Cal eligibility resulting in an increased number of Californians that will be eligible for health care coverage beginning January 1, 2014; 3) the restoration or partial restoration of prior year reductions to the judicial branch and adult dental benefits under Medi-Cal; and 4) \$143.0 million in one-time funding for mental health services infrastructure.

With the State's decision to move forward with a State-based model for the Medi-Cal expansion, much of the responsibility and cost burden for providing the related health care services will shift from counties to the State. As a result, the FY 2013-14 State Budget redirects a portion of the funding that counties would have otherwise received under 1991 Realignment to the State General Fund. As previously reported, the anticipated savings to counties and the resulting 1991 Realignment redirection to the State General Fund is projected to be \$300.0 million statewide in FY 2013-14.

While the national and State economies continue to recover slowly, the Governor has indicated that the State Budget is balanced by a narrow margin and, that significant risks and liabilities remain which could result in a return to fiscal deficits. The Governor has indicated that he will continue to prudently monitor the State's fiscal resources and pay down the State's budgetary debt.

On November 20, 2013, the Legislative Analyst's Office (LAO) released its fiscal outlook for California which projects continued improvement in the State's finances and indicates that the current budget conditions are stronger than at any point in the past

decade. The LAO forecasts that the State will end FY 2013-14 with a \$2.4 billion dollar reserve, double the amount the Administration had projected in the FY 2013-14 State Budget Act, and projects the State will have a \$5.6 billion reserve by the end of FY 2014-15. The LAO further projects that the State will have strong operating surpluses in the coming years as revenues will grow faster than expenditures through FY 2017-18. The LAO forecasts that State operating surpluses will remain stable at approximately \$10.0 billion per year by FY 2018-19 and FY 2019-20.

The Legislative Analyst's Office fiscal outlook indicates the need for cautious budget planning in the coming years, and that its forecast assumes continued economic recovery and steady growth in stock prices. However, the LAO notes that an economic downturn in the next few years could result in a return to deficit budgets. The LAO recommends that the Legislature and the Governor be strategic in budgeting projected operating surpluses over the next several years, and should continue to consider the natural volatility of State revenues and future economic uncertainties when making budget decisions. The LAO also recommends that the Legislature and the Governor remain committed to building strong reserves and paying down the State's budgetary liabilities.

COUNTY LEGISLATIVE PRIORITIES

In 2014, the County's initial advocacy priorities will be primarily concentrated on the State's ongoing fiscal condition, the implementation of Federal Health Care Reform, extension of the 1115 Medicaid Waiver, preservation of 1991 Realignment funding, public safety protections, human trafficking and the sexual exploitation of children, and potential program realignment efforts, as listed below.

State Budget. Given the tentative economic recovery both nationally and in California, as well as the potential volatility in State revenue receipts, this office will continue to focus its attention on the preservation of State funding received by the County. **The County will continue to support adequate and protected funding for programs it operates on behalf of the State, and will pursue a partnership with the Administration and the Legislature to address potential State funding reductions in which the County assumes a fair share of budget cuts, if the proposed reductions are developed with the County's active participation.**

Health Care Reform Implementation. Implementation of Federal Health Care Reform, including the expansion of Medi-Cal for newly eligible persons will be effective January 1, 2014. This office will continue to work with the affected County departments to closely monitor and make necessary recommendations on legislative, budgetary and administrative issues related to the implementation of health care reform which may

affect the County, including: 1) Medi-Cal outreach and enrollment outcomes; 2) transition of persons in the Low-Income Health Program to Medi-Cal; 3) preservation of the existing health care safety net; and 4) access to services for the remaining uninsured; among other issues as they arise. **The County will continue to strongly advocate that the Administration work closely with counties and other stakeholders to ensure the successful implementation of Health Care Reform and to ensure that the County's health care system meets the demands of the newly insured population as well as those individuals who will remain uninsured.**

Renewal of the 1115 Medicaid Waiver. California's current 1115 Medicaid Waiver, "A Bridge to Reform," which provides initiatives to implement key provisions of the Federal Affordable Care Act, including the expansion of Medi-Cal eligibility, is scheduled to expire in October 2015. The State has indicated that it intends to begin negotiations with the Federal Centers for Medicare and Medicaid for a new waiver in 2014. The new waiver is vital for the County and for the successful implementation of Health Care Reform. The County anticipates that resources and program flexibility provided through a new waiver will be needed to continue the transformation of the County's health system into an integrated care delivery model. **The County will work in collaboration with the Administration, the Legislature and other stakeholders to ensure that the waiver renewal maximizes funding for services and facilities to support and strengthen the County's health care system and safety net, and expand coverage and access for low-income individuals as provided under the Federal Affordable Care Act.**

Preservation of 1991 Realignment Funding. AB 85 (Chapter 24, Statutes of 2013) established a formula to calculate 1991 Realignment health savings which counties are expected to achieve as a result of the Medi-Cal expansion under the Federal Affordable Care Act. The bill contains a Los Angeles County-specific formula which was developed by the Department of Health Services and the Administration to determine the County's share of savings while preserving funding for the health care safety net. **The County will continue to advocate for the preservation of 1991 Realignment funds and related funding streams, including the County-specific funding formula established in AB 85 of 2013, to ensure that sufficient funds are available to meet its mandate to provide health care for uninsured persons and other required services funded through 1991 Realignment.**

Public Safety Protections. A number of public safety issues continue to confront both the State and counties in which this office will focus its attention in 2014. These issues include: 1) the allocation of funding for the supervision and incarceration of offenders shifted from the responsibility of the State to the counties under AB 109 of 2011; 2) the

provision of needed information and appropriate levels of supervision for mentally ill offenders and Sexually Violent Predators released by the State; and 3) the development of effective short- and long-term solutions to address State prison overcrowding that ensure public safety and do not place additional burdens on counties. **The County will advocate for an adequate and fair allocation of AB 109 funding and seek to ensure the County is fully reimbursed for costs incurred for the supervision and incarceration of offenders shifted under AB 109. The County will pursue legislative and administrative solutions to ensure the State provides information and appropriate levels of supervision for mentally ill offenders and Sexually Violent Predators. The County will also advocate for and support State efforts to seek custody solutions to avoid early releases and institute effective long-term recidivism reduction programs to address overcrowding in the State prison system which minimize impact to public safety and local government.**

Human Trafficking and the Commercial Sexual Exploitation of Children.

Numerous reports and studies indicate the widespread and insidious nature of sex trafficking and the commercial sexual exploitation of children (CSEC) nationally and in Los Angeles County. Efforts are needed to stem the increasing presence of gangs in the commercial sex trade and hold both those who engage in trafficking and the consumers who solicit minors accountable. Additional services and funding for the victims of sex trafficking and CSEC are also needed. **The County will pursue enhanced penalties for traffickers and those who solicit underage individuals for commercial sex, and will strongly advocate for enhanced resources and State funding to provide adequate services to victims of human trafficking.**

Potential Program Realignment Efforts. As part of Governor Brown's realignment proposals released in January 2011, two phases of realignment were outlined. The first phase, enacted by the 2011 Public Safety Realignment, included the shift in responsibility from the State to counties for a number of public safety and health and human services programs. The Governor indicated that he would consider a second phase of realignment due to the shift of costs from counties to the State as uninsured individuals move to Medi-Cal under health care reform. This was accomplished, in part, with the enactment of AB 85 of 2013, as described above. Therefore, it is possible that the Administration may propose the realignment of additional programs in 2014. **Consistent with previous efforts, the County will continue to oppose any efforts by the Administration to realign additional programs and responsibilities to counties without negotiating directly with the counties. Further, the County will oppose any effort to realign programs unless the State provides: 1) full funding which includes growth provisions from guaranteed and protected funding sources; 2) local control and program flexibility; and 3) protections that prohibit**

the State from increasing programmatic responsibility and costs to counties without providing adequate funding.

RECOMMENDED CHANGES TO THE COUNTY'S STATE LEGISLATIVE AGENDA

The recommended changes in the attachment represent requests from this office, County departments and commissions and Board offices to add or modify policy statements consistent with existing operational goals and plans. New policy statements represent emerging programs and issues for which we are seeking the Board's concurrence to guide future advocacy efforts. In addition, some policies are no longer applicable, and therefore, have been removed.

All other previously adopted State Legislative Agenda policies and positions remain in effect; and as such, advocacy will continue on these matters. A revised comprehensive list of all State Legislative Agenda policy statements will be published subsequent to consideration of the changes included in this letter.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

The proposed policies in the State Legislative Agenda are consistent with the County's Strategic Plan Goals of Operational Effectiveness and Fiscal Sustainability. Operational Effectiveness is achieved by providing timely advocacy on proposals that could significantly impact the County and support the delivery of efficient public services. Fiscal Sustainability results from efforts by the CEO, Sacramento advocates and County departments to maintain funding for critical County services and to oppose further program reductions or new unfunded mandates on County government.

CONCLUSION

The recommended additions, deletions and changes to existing Board-adopted policies are submitted for the Board's consideration as guiding principles for inclusion in the State Legislative Agenda for the second year of the 2013-14 Legislative Session. The CEO will ensure that all legislative positions pursued are communicated to the Board, and that Board offices are provided the opportunity for input on those positions prior to any initial advocacy.

Each Supervisor
December 3, 2013
Page 7

The policies and proposals contained in this package are in addition to, and are not intended to replace or be exclusive of any position the Board may adopt at any time during the year. As in the past, the State Legislative Agenda will be updated to reflect subsequent Board actions and will be shared with all County departments subsequent to Board approval.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'W. T. Fujioka', with a long horizontal flourish extending to the right.

WILLIAM T FUJIOKA
Chief Executive Officer

WTF:RA
MR:IGEA:ma

Attachment

c: Executive Office, Board of Supervisors
County Counsel
Auditor-Controller



RECOMMENDED CHANGES TO THE 2013-14 STATE LEGISLATIVE AGENDA

RECOMMENDED STATE LEGISLATIVE POLICIES ADDRESSING ISSUES OF MAJOR COUNTY INTEREST

Table of Contents

SECTION	PAGE
1. CHILDREN AND FAMILIES	1
1.1 Child Welfare Services	1
2. ENVIRONMENT, NATURAL RESOURCES AND RECREATION	2
2.1 Air Quality	2
2.4 Parks	2
2.6 Water Supply	2
3. GENERAL GOVERNMENT	3
3.2 Land Use Planning	3
3.4 Consumer Protection and Fair Business Practices	3
3.5 Child Support Administration	4
3.13 Public Records	5
3.14 Redevelopment	5
3.15 Elections and Voting	5
4. HEALTH	6
4.1 Financing of the Safety Net	6
4.3 Medi-Cal and Children's Health Care Coverage	7
4.5 HIV/AIDS and Sexually Transmitted Diseases	8
4.6 Public Health	8
4.7 Alcohol and Drug	8
4.10 Implementation of Health Care Reform	9
4.13 Dental Health Coverage	10
6. JUSTICE AND PUBLIC SAFETY	10
6.1 General	10
6.2 2011 Public Safety Realignment and AB 109	10
6.3 Probation and Community Corrections	11
8. MENTAL HEALTH	11
10. SOCIAL SERVICES	12
10.3 Workforce Investment Act and Workforce Development	12
10.7 Senior and Adult Services	12

10.9 Military and Veterans Affairs	12
12. UTILITIES AND INFRASTRUCTURE	13
12.1 Energy.....	13

1. CHILDREN AND FAMILIES

1.1 Child Welfare Services

- 21. Support legislation to allow social workers to authorize medical, dental and mental health assessments and screenings for detained children in the dependency system.**

Justification: The Department of Children and Family Services and County Counsel indicate that current law does not clearly authorize social workers to consent to a comprehensive, non-invasive medical, dental and mental health screening for all newly detained children, as well as a process to obtain any recommended remedial medical care for these children. The County has previously sponsored similar legislation, SB 913 (Chapter 256, Statutes of 2011), that provides probation officers specific statutory authority to conduct health care assessments, guidelines for appropriate assessments, and an avenue for seeking court orders for recommended additional medical treatment or remedial care. This policy would allow the County to support legislation to allow social workers to authorize important medical, dental, mental health assessments and screenings that are necessary to fully identify and meet the needs of detained children in the dependency system. **(Requested by the Chief Executive Office with concurrence by the Department of Children and Family Services and County Counsel)**

- 22. Support proposals to restore the hearsay exception for health care practitioners in jurisdictional hearings under the Welfare and Institutions Code.**

Justification: County Counsel and the Department of Children and Family Services indicate that various measures enacted in 2012, such as AB 1434 (Chapter 519, Statutes of 2012) and SB 1264 (Chapter 519, Statutes of 2012) related to the inclusion of specified personnel at public and private institutions to the list of mandated reporters under the Child Abuse and Neglect Reporting Act, inadvertently removed the provision under the Welfare and Institutions Code (WIC) Section 355(c)(1)(C) that provides health care practitioners with a hearsay exception in jurisdictional hearings. This hearsay exception is provided to the broader WIC Section 355(c)(1) which states that if a party to the jurisdictional hearing raises a timely objection to the admission of specific hearsay evidence contained in a social study, the specific hearsay evidence shall not be sufficient by itself to support a jurisdictional finding. According to County Counsel, without this exception, parties can raise a hearsay objection to statements made by health care practitioners. This policy would allow the County to support clean-up legislation that restores this important provision. **(Requested by the Chief Executive Office with concurrence by County Counsel and the Department of Children and Family Services)**

2. ENVIRONMENT, NATURAL RESOURCES AND RECREATION

2.1 Air Quality

- 14. Support Legislation that seeks to reduce cumulative impacts of air emissions in densely populated urban environments.**

Justification: The County has numerous air quality policies that are generally supportive of proposals to purchase lower emissions vehicles and equipment, promote cleaner burning fuels and other technologies to meet State & Federal air quality standards, and reductions of rail, ports & mobile emissions, but none are specifically related to cumulative impacts of air emissions in densely populated urban environments. **(Recommended by the Chief Executive Office)**

2.4 Parks

- ~~13. Support legislation to authorize the appointment of a designee to the governing board of the Baldwin Hills Conservancy to ensure the County's interests are represented.~~

Justification: This policy is no longer necessary because SB 184 (Chapter 201, Statutes of 2013), the Senate Local Government Omnibus Bill, includes a County-sponsored provision to allow the seat on the Baldwin Hills Conservancy Governing Board that is designated for the Los Angeles County Supervisor to be filled by a designee of the Supervisor. This measure becomes effective January 1, 2014. **(Recommended by the Chief Executive Office)**

2.6 Water Supply

- 13. Oppose legislation that would create new water quality requirements that would not result in clear, quantitative benefits to ratepayers.**

Justification: The Department of Public Works indicates that to set a new drinking water quality standard, the Federal and California Safe Drinking Water Acts require evaluating health risk using peer-reviewed science, monitoring source water supplies to estimate exposure, establishing analytical methods, defining best-available treatment technologies, and performing an economic analysis to determine whether the benefits of the new standard justify the costs. Previous legislative proposals have contradicted these requirements and instead would have required only a review of health effects. Adoption of this proposed policy will allow for recommendations on future legislative proposals that do not adhere to all of the State and Federal requirements for evaluating both costs and benefits when setting new drinking water quality standards. **(Recommended by the Department of Public Works)**

3. GENERAL GOVERNMENT

3.2 Land Use Planning

8. ~~Oppose legislation that requires the eligibility criteria for competitive affordable housing grants to include meeting the local jurisdiction's Regional Housing Needs Assessment (RHNA) allocation goal because the State has not disclosed how RHNA is calculated or how local information is used in these calculations.~~

Justification: The Department of Regional Planning recommends that this policy be deleted because it is unnecessary. Competitive affordable housing grants tie only to the completion of housing elements. There is no precedent for tying competitive grants to meeting Regional Housing Needs Assessment (RHNA) allocation goals. Also, the Southern California Association of Governments (SCAG), not the State, calculates the RHNA. **(Requested by the Department of Regional Planning)**

8. **Oppose legislation that would establish building standards outside of the existing building code adoption process or that would hinder effective administration and enforcement of building standards.**

Justification: According to the Department of Public Works, the California Building Standards Commission adopts and publishes new building standards codes and regulations every three years after reviewing and approving building standards proposed and adopted by State agencies. This process also includes public notice, review and comment periods before the Commission's adoption and approval of proposed code changes, and requires that local jurisdictions to adopt the same building standards as the State but allows them to amend them to make them more restrictive based on local climatic, geologic or topographical conditions. Efforts to establish new building standards or to change the administration and enforcement of building standards through the legislative process circumvent this process. The proposed policy would allow the County to oppose legislative proposals that seek to adopt new building standards codes or regulations outside of the regular adoption and publication process or that would hinder effective administration and enforcement of existing building standards. **(Requested by the Department of Public Works)**

3.4 Consumer Protection and Fair Business Practices

15. **Support proposals that increase protections for consumers against fraud, scams, and unfair or deceptive business practices.**

Justification: The Department of Consumer Affairs indicates that each year over 300,000 consumers seek help with consumer issues including frauds, scams, and deceptive business practices. The Department educates the public about consumer issues and helps consumers resolve their complaints through counseling and complaint investigation. The Federal Trade Commission estimates that 11 percent of the adult population is a victim of fraud. This policy would allow the County to support legislation that increases consumer protection against fraudulent activities. **(Requested by the Department of Consumer Affairs)**

16. Support legislation that protects businesses from deceptive business practices.

Justification: The Department of Consumer Affairs notes that deceptive practices such as bait and switch tactics and false advertising affect both consumers and competing businesses. This policy would allow the County to support legislation that increases protection for consumers and businesses against such deceptive practices. **(Requested by the Department of Consumer Affairs)**

17. Support proposals to increase funding for collaborative consumer protection and consumer education programs.

Justification: The Department of Consumer Affairs reports that they collaborate with agencies both within and outside of the County to provide consumer education and consumer protection programs to Los Angeles County consumers. Collaboration with other agencies allows them to benefit from shared knowledge and expertise, foster partnerships, improve efficiencies, and affect broader impact. This policy would allow the County to support legislation that would expand such collaboration efforts. **(Requested by the Department of Consumer Affairs)**

18. Support proposals that increase free access of consumers to their credit scores and to simplify the process to correct credit report discrepancies.

Justification: The Department of Consumer Affairs indicates that according to the Federal Trade Commission, 1 out of 4 credit reports have errors. These errors can affect consumer credit scores and cost consumers more on major consumer purchases such as homes and cars. Currently, consumers can obtain their credit scores under certain circumstances, such as after applying for a loan. Those who are concerned about maintaining a good score and monitoring their credit for accuracy more regularly are often lured into buying costly credit score monitoring services. This policy would allow the County to support legislation that would increase the opportunities a consumer has to access their credit score free of charge. **(Requested by the Department of Consumer Affairs)**

19. Support proposals to increase identity theft protections and provide funding for the assistance needed to help victims restore their credit.

Justification: The Department of Consumer Affairs reports that identity theft is widespread and continues to grow in pervasiveness and sophistication with new internet elements. Identity theft was the number one complaint category in the Federal Trade Commission's Consumer Sentinel Network Data Book for 2012, with 18 percent of the overall complaints. The impact of identity theft may have serious and long-term consequences for victims. This policy would allow the County to support legislation that provides funding to prevent and investigate identity theft and help victims restore their credit. **(Requested by the Department of Consumer Affairs)**

3.5 Child Support Administration**4. Oppose proposals to hold counties responsible for paying Federal penalties.**

Justification: The Child Support Services Department indicates that this policy is no longer needed as the State came into compliance with Federal mandates to create a

single statewide child support case management system in November 2008. Federal penalties ceased as of this date, and there are no Federal penalties to oppose. **(Requested by the Child Support Services Department)**

3.13 Public Records

- ~~5. Sponsor or support legislation that would amend the Brown Act to authorize the Governor to meet in executive session with the Board of Supervisors on matters posing a threat to the security of public buildings or essential public services.~~

Justification: The Executive Office of the Board of Supervisors indicates that this policy is no longer necessary because **County-sponsored AB 246** (Chapter 11, Statutes of 2013) amends the Brown Act to add the Governor to the existing list of officials whom local governing bodies can meet in closed session with on specified matters of security. **(Requested by the Executive Office of the Board of Supervisors)**

- 6. Support legislation that amends the California Public Records Act to exempt disclosure of public entities' attorney billing records, such as invoices and time records, in litigation that is pending against the public entity or any of its Departments or employees, as long as it preserves the purpose of the Act.**

Justification: County Counsel reports that the California Public Records Act (CPRA) is not fully explicit as to whether attorney invoices and related documents in pending litigation are exempt from CPRA's disclosure provisions. County Counsel notes that potential disclosure of public entity attorney billings, invoices, and time records could be damaging to the County's legal interests because such records, when disclosed during the pendency of litigation, may reveal significant strategic facts to the opposing litigant. This policy would allow the County to support or sponsor legislation that would clarify that such client-attorney documents related to on-going litigation involving a public entity are exempt from disclosure. **(Requested by County Counsel)**

3.14 Redevelopment

- ~~7. Support legislation that will preserve, expand and extend designations for the State Enterprise Zone Program for urban areas and will protect the County's fiscal base and revenues.~~

Justification: The Community Development Commission (CDC) indicates this policy is no longer necessary as the approval of AB 93 (Chapter 69, Statutes of 2013) will discontinue the State's Enterprise Zone Program effective January 1, 2014. Removal of this policy will not impact the CDC's ability to advocate for similar economic development legislation in the future, as Policy 5.5 provides adequate coverage for such advocacy. **(Requested by the Community Development Commission with concurrence from the Chief Executive Office)**

3.15 Elections and Voting

- ~~3. Support legislation to allow Los Angeles County to develop and/or acquire a voting system on a pilot basis.~~

Justification: The Registrar-Recorder/County Clerk notes that this policy is no longer needed as **County-sponsored SB 360** (Chapter 602, Statutes of 2013) will allow local jurisdictions to pilot publicly-owned voting systems. In addition, SB 360 requires a specified State certification and testing process for voting systems; and will allow Voting Modernization Funds (Proposition 41 of 2002) to be used for the research and development of new voting system. **(Requested by the Registrar-Recorder/County Clerk)**

3. **Support legislation that increases protections against interfering with the casting of ballots at polling places or by mail, including increasing fines and/or penalties for practices that attempt to impede the voting process or intimidate votes.**

Justification: The Registrar-Recorder/County Clerk reports that electioneering and disruptions at the polling place are increasing in both local municipal elections and countywide elections. While the department provides adequate information about election observation and rules against electioneering at the polling place, the department continues to receive reports of campaigns picking up vote-by-mail ballots, ballot tampering in senior homes, signs being removed from polling places, or disturbances that result in requesting police presence. Currently, such illegal practices are misdemeanors with low fines and therefore, there is little deterrence. This policy would allow the County to support legislation that would increase protections against interfering with the voting process, which might include increasing penalties, implementing stricter rules to govern access to the polling place, increasing the distance for electioneering, and/or requiring the posting of additional information. Supporting this type of legislation would help protect the integrity of our local electoral process. **(Requested by the Registrar-Recorder/County Clerk)**

- ~~5. Sponsor or support legislation to expand board of supervisors' authority to deny statewide election consolidation to cases where there is reasonable cause for concern regarding the proper administration of an additional election, including legal and financial considerations.~~

Justification: The Registrar-Recorder/County Clerk indicates that this policy is no longer needed because **County-sponsored AB 331** (Chapter 98, Statutes of 2013) will require that elections consolidated with a special election be held and conducted under applicable State and Federal laws. In addition, AB 331 requires a jurisdiction, if it requests to have their election consolidated with a statewide or special election, to acknowledge that the election will be conducted under applicable State and Federal laws, including the laws regulating voter challenges, election contests, and recounts. **(Requested by the Registrar-Recorder/County Clerk)**

4. HEALTH

4.1 Financing of the Safety Net

- ~~11. Support proposals to improve the Medi-Cal Treatment Authorization Request (TAR) process, including, but not limited to, the sufficient staffing and automation of TAR field office operations, the expansion of cases that do not require a TAR, and new methodologies consistent with Medicare.~~

Justification: The Department of Health Services indicates that it has agreed with the State to implement a revised Medi-Cal Treatment Authorization Request (TAR) process; therefore, this policy is no longer necessary. **(Requested by the Department of Health Services)**

15. Support proposals to preserve the 1991 Realignment Health funding for counties and the County-specific funding formulas established in AB 85 (Chapter 24, Statutes of 2013) to support indigent health care and other services.

Justification: AB 85 of 2013 established a formula to calculate 1991 Realignment health savings counties are expected to achieve as a result of the Medi-Cal expansion, pursuant to the Federal Affordable Care Act, and contains a Los Angeles County-specific formula which was developed by the Department of Health Services and the Brown Administration. The revised policy reflects this change in the 1991 Realignment funding mechanism, and would allow the County to support preservation of the revised funding formula to maintain the County's health care safety net for those who remain uninsured. **(Requested by the Department of Health Services with concurrence by the Chief Executive Office)**

4.3 Medi-Cal and Children's Health Care Coverage

6. ~~Support the State's pursuit of a Healthy Families waiver for family coverage where it is cost-effective and does not crowd out other health insurance coverage.~~

Justification: AB 1494 (Chapter 28, Statutes of 2012) required the Healthy Families Program (HFP) to cease enrollment of new subscribers and to transition participants to the Medi-Cal Program beginning January 1, 2013. With the elimination of the Healthy Families Program, this policy is no longer needed. **(Requested by the Chief Executive Office)**

18. Support proposals to restore reductions to Medi-Cal reimbursement rates for providers and hospitals.

Justification: This new policy would allow the County to continue to support legislation which would restore and prevent further reductions to Medi-Cal reimbursement rates for providers and hospitals, and would enhance existing policy on this issue. As part of the FY 2011-12 State Budget Act, the State imposed a 10 percent reduction in the rates to be paid to all fee-for-service Medi-Cal providers, among other provisions. Rate reductions were made retroactive to June 1, 2011 for all fee-for-service providers. **(Recommended by the Chief Executive Office)**

19. Support proposals to ensure mobile eye examinations for Medi-Cal eligible children are reimbursable.

Justification: This new policy would allow the County to support proposals to ensure that mobile eye examinations for Medi-Cal eligible children are reimbursement under Medi-Cal. The ability to receive routine eye examinations via mobile sites would increase access to this important health care service for Medi-Cal-eligible

children throughout the County. . **(Recommended by the Chief Executive Office, with concurrence from the Department of Health Services)**

4.5 HIV/AIDS and Sexually Transmitted Diseases

7. ~~Sponsor or support legislation to allow HIV testing of infants up to one year of age who are placed in foster care.~~

Justification: The Chief Executive Office indicates that this policy is no longer necessary as **County-sponsored AB 506** (Chapter 153, Statutes of 2013) authorizes HIV testing of infants up to one year of age who are placed in foster care. **(Requested by the Chief Executive Office)**

4.6 Public Health

32. ~~Support proposals to conform California's rabies vaccinations requirements to Federal laws, regulations and guidelines.~~

Justification: The Chief Executive Office indicates that this policy is no longer necessary as **County-supported AB 272** (Chapter 582, Statutes of 2013) aligns California's rabies vaccination requirements to Federal laws, regulations, and guidelines. **(Requested by the Chief Executive Office)**

32. **Support proposals that provide funding and/or assistance to local health departments for the purposes of billing insurers for TB screenings, HIV and STD services, immunizations, and other preventive health services provided to insured patients.**

Justification: The Department of Public Health (DPH) indicates that with implementation of the Federal Affordable Care Act, an increasing number of individuals who receive DPH-administered preventive services such as TB screenings, immunizations, and STD testing will likely already be insured and capable of receiving these services through their providers. Establishing and/or expanding contracts and billing arrangements with these insurers could help DPH recoup the cost of providing these services to these patients. **(Requested by the Department of Public Health with concurrence from the Department of Health Services)**

4.7 Alcohol and Drug

13. **Support proposals to include a full continuum of evidence-based substance use disorder (SUD) benefits and reimbursements under the Drug Medi-Cal program for adults and youth that meet established standards of care, including benefits currently not covered such as addiction medications, comprehensive residential services, and recovery support services.**

Justification: The Department of Public Health indicates that with the expansion of Medi-Cal eligibility, the Drug Medi-Cal (DMC) program will make substance use disorder (SUD) services available to many residents who had previously been unable to access such services due to the lack of health insurance coverage. Increased access to SUD services will result in reducing the burden on the County's SUD-related

criminal justice, health care, and social services systems; however, DMC reimbursement rates will need to adequately reflect the actual costs of covered services in order to support the anticipated increased demand for these services. Without adequate reimbursement rates, providers will be unable to offer these services and residents will be unable to receive the proper treatment for their SUD problems. Examples of the benefits that should be included/reimbursed under the DMC program include medications such as injectable naltrexone (Vivitrol) and buprenorphine and support services such as employment and vocational skills training, transitional housing, peer support, and family skills training. **(Requested by the Department of Public Health)**

- 14. Support legislation that improves oversight of the State's Drug Medi-Cal program by implementing program enhancements that include, but are not limited to: 1) improved collaboration, information sharing, and communication between the State and local jurisdictions; 2) adoption of formal policy and procedures for immediately advising counties when provider agencies are being decertified or suspended by the State and/or investigated by the Department of Justice; 3) inclusion of in-depth administrative, programmatic, and financial reviews during the provider certification review process; and 4) increased provider engagement and training.**

Justification: The Chief Executive Office indicates that given the recent developments surrounding the State's Drug Medi-Cal program and the resulting actions taken to date by the State in response to findings of contract provider malpractice/performance, it is essential that oversight of the program be improved and that the State and counties work closely to ensure this is achieved. With improved collaboration and communication amongst the State and counties and a more thorough provider certification review process, the Drug Medi-Cal program and the substance use disorder services provided under the program will be improved. **(Recommended by the Chief Executive Office)**

4.10 Implementation of Health Care Reform

- 18. Support proposals that seek to minimize disruption in patient care and that help ensure access to essential HIV services, including support services, as patients transition from Federal Ryan White-funded services to other systems of care supported by the Federal Medicaid Expansion.**

Justification: The Department of Public Health (DPH) indicates that it has a critical role in addressing patient continuity of care issues for the individuals it currently serves. As these patients transition to other systems of care, DPH needs to ensure that these individuals continue to receive all necessary care and treatment. Some individuals may continue to rely on DPH and/or Federal Ryan White-funded services while receiving primary medical care elsewhere. To the extent that proposals or demonstration projects arise that would support this transition and wraparound efforts, DPH would like to support them. **(Requested by the Department of Public Health with concurrence from the Department of Health Services)**

4.13 Dental Health Coverage

- 1. Support proposals to require public and private insurers to offer full coverage for dental and oral health care services.**
- 2. Support proposals that improve access to dental and oral health care services for children and adults.**

Justification: The Department of Health Services (DHS) indicates that good oral hygiene and oral health can improve overall health and reduce the risk of serious disease. Poor oral health may lead to chronic inflammation from gum disease which can lead to the development of infections in other parts of the body and to cardiovascular problems such as heart disease, blockages of blood vessels and strokes. According to DHS, persons with untreated oral and dental health care issues are likely to seek emergency room services to mitigate pain. The addition of this new policy section and policies would allow the County to support measures to increase access to dental health care and contribute to improved health outcomes for children and adults. **(Requested by the Department of Health Services)**

6. JUSTICE AND PUBLIC SAFETY

6.1 General

- 18. Support funding for and proposals that direct the California Department of Motor Vehicles to work with counties to assist county jail inmates apply for and receive a California Driver's License or Identification Card prior to being released from custody.**

Justification: County jail inmates are often released after a period of incarceration without proper or valid identification. This creates delays and issues for former inmates seeking various services including benefits and housing, medical or mental health services, employment and/or education services and other benefits. This impediment and delay can lead to increased risk for recidivism and poor outcomes. This policy will allow the County to support proposals directing the California Department of Motor Vehicles to work with counties to address this issue and ensure inmates leaving county custody have valid identification. **(Requested by the Chief Executive Office with concurrence from the Sheriff's Department and the Countywide Criminal Justice Coordination Committee)**

6.2 2011 Public Safety Realignment and AB 109

- 1. Support proposals to provide additional funding to district attorneys, public defenders and alternate public defenders to conduct revocation hearings for individuals under Post Release Community Supervision, parole and mandatory supervision.**

Justification: As part of AB 109 of 2011, all revocation hearings for parolees, probationers, and those under Post-Release Community Supervision and/or mandatory supervision are handled by the Superior Court. As such, the district attorney, public defender and alternate public defender must represent the People and

defendant respectively during these proceedings. The State provides dedicated funding for these activities. However, that funding is not adequate to cover the costs these departments incur for revocation activities, particularly for mentally ill defendants and those with special needs. **(Requested by the Chief Executive Office, Public Defender, and Alternate Public Defender)**

5. Support proposals that mitigate the impact on the County criminal justice system as a result of Penal Code Section 1170 (h).

Justification: As a result of implementation of AB 109, a number of offenders have been given lengthy county jail sentences under the new Penal Code Section 1170 (h) sentencing provisions, with one individual receiving a 42-year sentence. County jails were not designed or equipped to handle long sentences of this nature and the Brown Administration has previously acknowledged that it was not the intent of AB 109 to have individuals with lengthy sentences housed in county jails. This policy will allow the County to seek redress and changes to the law to address this issue. **(Requested by the Chief Executive Office and the Countywide Criminal Justice Coordination Committee with concurrence of the Sheriff's Department)**

6.3 Probation and Community Corrections

~~17. Support proposals to provide funding to probation departments to conduct probable cause hearings for individuals under Post Release Community Supervision~~

Justification: This policy is not needed because after enactment of AB 109 of 2011, the Judicial Council developed and adopted Statewide processes and procedures for Post-Release Community Supervision revocation hearings which no longer required county probation departments to conduct probable cause hearings. **(Requested by the Chief Executive Office)**

8. MENTAL HEALTH

~~7. Support proposals to restore Healthy Families mental health benefits to encourage the provision of full scope mental health services by public agencies.~~

Justification: AB 1494 (Chapter 28, Statutes of 2012) required the Healthy Families Program (HFP) to cease enrollment of new subscribers and to transition participants to the Medi-Cal Program beginning January 1, 2013. Mental health services are now provided through the Medi-Cal Program for children previously enrolled in and eligible to HFP. Therefore, this policy is no longer needed. **(Requested by the Chief Executive Office and the Department of Mental Health)**

16. Support proposals to provide full reimbursement permanent and adequate funding of Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) through the 2011 Public Safety Realignment allocation formula and SB 90 (Chapter 1406, Statutes of 1972) claims within 90 days of the County's submission of a claim for mental health services.

Justification: The 2011 Public Safety Realignment shifted fiscal responsibility for a number of health and human services programs, including EPSDT, from the State to counties. The plan also redirected a percent of the existing State sales tax and a

portion of the Vehicle License Fee revenues to counties to fund the realigned programs. Funding for EPSDT is now based on a formula allocation and not through the SB 90 claims process. The revised policy reflects this change. **(Requested by the Department of Mental Health)**

10. SOCIAL SERVICES

10.3 Workforce Investment Act and Workforce Development

- 5. Support proposals that provide additional resources to local workforce development programs, including local workforce investment boards.**

Justification: The Department of Community and Senior Services (CSS) indicates that the Department's workforce development programs are funded by Federal funds through the Workforce Investment Act which have been slowly eroding for the past ten years. CSS indicates there is a need for additional resources for local workforce development programs, especially those targeted at hard-to-serve vulnerable populations such as veterans and youth, and for local workforce investment boards and the network of one-stop centers. **(Requested by the Department of Community and Senior Services)**

10.7 Senior and Adult Services

- 14. Support proposals that provide resources to elderly or dependent adults who are victims of financial abuse, and to support the education, prevention and investigation of financial abuse and exploitation of this population.**

Justification: According to the Department of Community and Senior Services (CSS), elderly and dependent adults are a vulnerable population for various crimes, including financial abuse. This population is often financially exploited by predators who may take advantage of their diminished capacity, loneliness and isolation. CSS indicates that in FY 2012-2013, based on data from its Adult Protective Services Program (APS), there were 13,504 investigated cases involving financial abuse in Los Angeles County; 4,719 were confirmed cases involving financial abuse. The number of confirmed financial abuse cases could be higher as APS clients could deny any abuse from family members. As the senior population increases, there is expected to be an increase in financial abuse for this age group, and there is a need for additional resources and services in this area. In addition, the Department of Consumer Affairs indicates that financial exploitation of seniors is widespread and takes on many forms of sales and marketing schemes, such as reverse mortgages, counterfeit drugs, among others, and there is a need to expand programs that investigate and aim to prevent such exploitation. **(Requested by Department of Community and Senior Services and the Department of Consumer Affairs)**

10.9 Military and Veterans Affairs

- 3. Support legislation to allow a person honorably discharged from the Armed Forces, upon applying to the California Department of Motor Vehicles for a**

driver's license or California identification card, to request that the designation veteran be printed on their card.

Justification: According to Department of Military and Veterans Affairs, this policy will allow veterans seeking benefits offered by private parties, such as department stores and service stations, to easily and accurately verify their status as veterans. It would also better enable law enforcement officers and other public agents to refer individuals identified as veterans to veterans' services. **(Requested by the Department of Military and Veterans Affairs)**

12. UTILITIES AND INFRASTRUCTURE

12.1 Energy

3. **Support proposals to increase funding to for programs administered or managed by public agencies to for public and private sectors which encourage and/or implement encourage reduced energy consumption, develop alternative energy sources, and shift usage to non-peak hours.reduced peak energy usage, on-demand energy usage reduction (demand response), increased renewable energy usage (solar photovoltaic, solar water heating, clean natural gas use), energy storage, energy data management systems, water efficiency/conservation, and energy financing programs.**

Justification: According to the Internal Services Department (ISD), increased funding will be made available by the State to support AB 32 (Chapter 488, Statutes of 2006), SB 375 (*Chapter* 728, Statutes of 2008), and other sustainability strategies. In particular the State's green building goals for new, existing, private and public buildings will be emphasized. The revisions to the policy will allow the County to support proposals for funding programs which may include private capital, credit enhancements and other incentives that may be made available through State and utility ratepayer funding. **(Requested by the Internal Services Department)**

- ~~4. Support proposals to provide funding for a grant program to encourage electric, and solar retrofitting of public and private buildings.~~

Justification: The provisions of this policy are incorporated into the proposed revisions to Policy 12.1.3 as noted above. **(Requested by the Internal Services Department)**

4. **Support proposals which assist local governments with renegotiating and developing new utility franchise agreements by providing: open, transparent provision of information about utility systems in local jurisdiction boundaries; fair and economical pricing; timely and open negotiations; favored nations clauses; limits on length of franchise agreement terms; sharing of information about other franchise deals; mechanism for undoing existing in perpetuity agreements.**

Justification: The Internal Services Department reports that utilities execute franchise agreements with local jurisdictions to operate their systems (transmission and distribution lines and pipes) within their jurisdictional boundaries. Typically these have

been very long agreements, some in perpetuity, and typically do not reflect inflation or other escalation factors. The County is currently renegotiating both the Southern California Edison and Southern California Gas franchise agreements which expired several years ago. These were 50-year agreements and the utilities' business models have changes substantially since then. Adoption of this recommended policy will allow the County to support proposals which seek to protect counties' and other local governments' interests when renegotiating agreements or developing new ones. **(Requested by the Internal Services Department)**

11. Support proposals which ensure that local governments ~~are~~ is offered fair and economical pricing of energy by utilities and public generators.

Justification: According to the Internal Services Department (ISD), the State's utilities are moving towards a rate system that must address the growth of on-site energy generation by customers (cogeneration, solar photovoltaic, etc.), variable energy rates based on peak vs. non-peak usage times, and State-mandated calls for reduced energy usage. The implementation of any rate system changes must include transparent pricing for customers as well as flexibility for government facilities which cannot readily change their consumption patterns due to their unique functions or usages (e.g., hospitals, law enforcement and public protection facilities, courthouses, etc.). The proposed changes to this existing policy will allow the County to support new rate change proposals which would offer fair and economical pricing of energy for local government facilities, including special rates for local government facilities, renewable energy rates and/or fees, cogeneration rates and/or fees, special rates based on time-of-use or State-defined critical use periods, and market-based rates, among others. **(Requested by the Internal Services Department)**

- ~~15. Support proposals to provide funding to local governments to develop, implement, and administer energy programs for residential, non-residential, and publicly owned properties.~~

Justification: The provisions of this policy are incorporated into the proposed revisions to Policy 12.1.11. This policy can be deleted with the adoption of changes to policy 12.1.11 noted above. **(Requested by the Internal Services Department)**

15. **Support proposals which provide funding for local government Climate Action Plans that help the State achieve greenhouse gas reduction goals under AB 32 of 2006 and SB 375 of 2008 through: funding from greenhouse gas allocation auction revenues, free or subsidized emission allocations or credits, exemptions from capped emissions requirements, or other Cap and Trade program benefits.**

Justification: The Internal Services Department indicates that proposals for the allocation of revenues generated by AB 32 have been introduced in recent legislative sessions and will continue to be introduced in the coming years. According to the Internal Services Department, adoption of the recommended policy will allow the County to support proposals which would allocate AB 32 revenues based on a variety of criteria, including direct allocations, competitive grants, funding to regional organizations (such as the Southern California Regional Energy Network), funding for large scale regional projects/programs, or funding for relief from Cap and Trade impacts. **(Requested by the Internal Services Department)**

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16. Support proposals **and funding to provide direct funding and technical support for which assist local governments in the development and implementation of Climate Action Plans to develop and implement energy and climate actions plans** that aim to reduce energy and water consumption, **equipment and fleet emissions, and other greenhouse gas emissions targeted under AB 32 (Chapter 488, Statutes of 2006).**

Justification: According to the Internal Services Department, AB 32, SB 375 (Chapter 728, Statutes of 2008) and the Attorney General's actions on jurisdictions' General Plan updates all require the development of Climate Action Plans by 2020. Local governments will need assistance in the development and implementation of these plans and development and implementation of related projects. The revisions to this policy will allow the County to support proposals which will provide direct financial support, technical services, centralization and acquisition of data (including simple and easy access to utility consumption data in a disaggregated format) needed for the plans, and technical tools for development of the plans, among other things. **(Requested by the Internal Services Department)**